

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-
JAMES DUANE DECKARD,

Plaintiff,

Defendant.

Case No. 1:22-CR-02066-MKD
CRIMINAL MINUTES
DATE: MARCH 28, 2023
LOCATION: YAKIMA
SENTENCING HEARING

Honorable Mary K. Dimke		
Cora Vargas Courtroom Deputy	03 Law Clerk	Marilynn McMartin Court Reporter
Michael Ellis appearing by video conference Michael Murphy Government Counsel		Nick Mirr Defense Counsel
United States Probation Officer: Jennifer Dykstra		

☒ **Open Court**☐ **Chambers**☐ **Video Conference**

Defendant present, in custody of the US Marshal.

The Court confirmed the parties are ready to proceed to sentencing and informed the parties of the documents the Court has reviewed in preparation for sentencing.

Mr. Mirr and Mr. Ellis stated they do not have any objections to the Presentence Investigation Report.

Mr. Mirr confirmed he has reviewed and discussed the Presentence Investigation Report with the defendant.

The Court provided findings on the guideline calculations in the Presentence Investigation Report; no objection by counsel; Presentence Investigation Report accepted by the Court.

The Court informed the parties of two additional special conditions the Court is inclined to order; no objection by either counsel.

Mr. Ellis provided sentencing recommendations on behalf of the government.

Mr. Mirr provided sentencing recommendations on behalf of the defendant.

Austin Hitchcock addressed the Court on behalf of the defendant.

Linda Deckard addressed the Court on behalf of the defendant.

The defendant addressed the Court on his own behalf.

[X] ORDER FORTHCOMING

CONVENED: 11:20 A.M.	ADJOURNED: 11:59 A.M.	TIME: 0:39 HR.	CALENDARED []
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USA -vs- Deckard
1:22-CR-02066-MKD
Sentencing Hearing

March 28, 2023
Page 2

The Court addressed the defendant and imposed sentence:

The Court accepted the Rule 11(c)1(c) Plea Agreement entered into between the parties at the change of plea hearing.

- **Imprisonment: 48 months.** The Court recommends placement at FCI Sheridan and participation in the Residential Drug Abuse Program (RDAP) while incarcerated.
- **Supervised Release: 3 years** on mandatory, standard and special conditions listed in the Presentence Investigation Report, in addition to the two additional special conditions listed below. Mr. Mirr confirmed he has reviewed all the conditions with the defendant and the defendant confirmed he understands all conditions.
 - You must participate in an anger management treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). Such programs may include group sessions led by a counselor or participation in a program administered by the probation office. You must pay the costs of the program.
 - You shall have no contact with JNLN without the prior approval of the supervising probation officer.
- **Fine:** waived
- **Special Penalty Assessment:** \$100.00

Appeal rights given to the extent any exist.